

EXHIBIT A

# SECTION III - FINANCIAL QUALIFICATIONS

NOTE If this application is for a change in an operating facility do not fill out this section.

The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2 State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$ 175,000.00

3 Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

| Source of Funds<br>(Name and Address)   | Telephone Number | Relationship | Amount        |
|---|------------------|--------------|---------------|
| Stan Puckett, President<br>Greene County Bank<br>Main Street<br>Greeneville, TN 37743 | (615) 639-5111   | Banker       | \$ 175,000.00 |

EXHIBIT B

## DECLARATION

I, William H. Seaver, do hereby certify that:

I have reviewed the estimated construction costs prepared by Darrell Bryan, which was appended as Exhibit No. 1 to the transcript of his deposition in the Tusculum, Tennessee, FM proceeding. Based on my review of Bryan's estimated construction costs, my discussions with equipment suppliers regarding Bryan's estimates and equipment price quotations obtained in writing from Continental Electronics Corporation ("Continental"), portions of which are attached hereto as Attachment A, I make the following observations.

Bryan's application reflects that he will operate with a effective radiated power of 6.0 kilowatts, utilizing a 2 bay antenna. Bryan estimates the cost for a new transmitter to be \$ 16,000.00. However, as reflected in the attached price quote (Item 1), a new transmitter, sufficient to produce 6.0 kw in effective radiated power, utilizing a 2 bay antenna, will cost \$ 47,000.00, or \$ 49,089.35 if the recommended accessory equipment (Items 2-6) is purchased. While Bryan has budgeted \$ 4,500 for his antenna system, as reflected in the attached price quote (Item 7), a 2 bay antenna will cost \$4,700.00 and the recommended quarter-wave shorting stub (Item 8) will cost an additional \$ 445.00. Bryan has seriously underestimated the cost of his transmission line, mounting hardware, connectors and

related equipment. Bryan estimates the cost of his transmission line at \$ 450.00 and connectors at \$ 100.00. However, as reflected in the attached price quote (Item 9), 300 feet of transmission line, alone, will cost Bryan \$ 3282.00. This does not include the mounting hardware, connectors and related items which must be purchased in order to install the transmission line. As reflected in the attached price quote (Items 10-17), the items needed to install the transmission line will cost an additional \$ 1,873.00, for a total of \$ 5,155.00. I was advised by an engineer at Continental that Bryan's estimate of \$ 100.00 for connectors would not even cover the cost of the copper contained in the connectors.

Bryan estimates the cost of an Orban Optimod at \$ 3,500.00. However, as reflected in the attached price quote (Item 20), the cost of a new Orban Optimod for an FM station would be \$ 5,950.00. Bryan proposes a Mosley STL package at a used price of \$ 5,500. Although omitted from the attached Continental equipment proposal, I was advised by Continental personnel that the cost of a new Mosley STL package would be \$ 9,200.00. Bryan recites a used price of \$ 500.00 for a single Scala Paraflector Antenna. However, two such antennas will be required, not one.

Bryan proposes a Belar Stereo Monitor at a cost of \$ 879.00. However, as reflected in the attached price quote (Item 42), a new Belar Stereo Modulation Monitor would cost \$ 2,050.00. However, a FM Modulation Monitor and FM RF Amplifier will also be required. As reflected in the attached price quote (Item 41,

43), a new Belar FM Modulation Monitor would cost \$ 1,790.00 and Belar FM RF Amplifier would cost \$ 850.00, for a total of \$ 4,690.00 for modulation equipment.

Bryan estimates the cost of a 300 foot tower at \$ 18,000.00. However, as reflected in the attached price quote (Item 18), a 300 foot tower will cost \$ 26,996.00. This tower quote obtained from Continental was substantially lower than the one which I obtained from RF Specialties of Florida, Inc., who quoted a 300 foot tower at \$ 32,000.00, not including an additional \$ 5,500.00 for installation. Neither quote, however, included site preparation costs.

Bryan's estimated costs, the actual cost of the equipment he proposes, but has underestimated, and the cost of all the equipment he will actually be required, are summarized below [Column A = Bryan's estimate; Column B = actual cost of equipment proposed; Column C = cost of proposed equipment + all related equipment needed]:

|                              | A        | B         | C         |
|------------------------------|----------|-----------|-----------|
| Transmitter/exciter          | 16000.00 | 47000.00  | 49089.35  |
| Antenna System               | 4500.00  | 4700.00   | 5145.00   |
| Transmission Line/Connectors | 550.00   | 5155.00   | 5155.00   |
| Orban Optimod                | 3500.00  | 5950.00   | 5950.00   |
| Mosley STL Package           | 5500.00  | 9200.00   | 9200.00   |
| STL Transmission Line        | 200.00   | 500.00    | 500.00    |
| Belar Stereo Monitor         | 879.00   | 2050.00   | 4690.00   |
| 300 Foot Tower               | 18000.00 | 26996.00  | 26996.00  |
|                              | -----    | -----     | -----     |
|                              | 49129.00 | 101551.00 | 106725.35 |

Therefore, it must be concluded that with respect to the specific items or equipment which Bryan has proposed, he has underestimated his costs of construction by \$ 52,422.00. If those other items of equipment, which he needs, but has not included in his itemization, are added, he has underestimated his costs of construction by at least \$ 57,596.00.

I hereby certify under penalty of perjury that the above statement is true.

Signed and dated this 14 day of February, 1994.

  
WILLIAM H. SEAVER

Attachment A





Continental Electronics Corporation

4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227

**SCHEDULE A**  
**BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 1  
ALA686

| ITEM | QTY. | PART NUMBER          | DESCRIPTION  | UNIT PRICE | TOTAL    |
|------|------|----------------------|--|------------|----------|
| 1    | 1    | 108                  | <p>TRANSMITTING EQUIPMENT</p> <p>CONTINENTAL 816B<br/>11kW FM SINGLE TUBE FM transmitter<br/>includes 802B exciter, solid-state<br/>driver, PA tube, instruction manual<br/>and factory tuned and tested.<br/>Operates 200 to 250 VAC, 3-phase, 60<br/>Hz. Output: 50 ohm female 3-1/8" EIA<br/>flange.</p> <p>FREQUENCY: _____ MHz</p> <p>OUTPUT POWER: _____ kW (11kW Max.)</p> <p>EXCITER IN TX _____ IN RACK _____<br/>INCLUDES:</p> <p>TWO YEAR LIMITED PARTS WARRANTY<br/>24-HOUR PARTS AND SERVICE<br/>AUTOMATIC POWER OUTPUT CONTROL<br/>SOFT-START (TM) GRADUAL POWER<br/>CONTROLLER<br/>FILAMENT VOLTAGE REGULATOR<br/>POWER INTERRUPT RECYCLE<br/>35 PROTECTION CIRCUITS<br/>VSWR POWER FOLDBACK<br/>SELF-CONTAINED SINGLE CABINET<br/>BROADBAND QUARTER-WAVE CAVITY<br/>LONGLIFE 4CX15000 FINAL TUBE</p> | 47000.00   | 47000.00 |
| 2    | 1    | 172949-5             | <p>CONTINENTAL 816B REC<br/>19 Recommended set of semi-conductors<br/>for 816B transmitter. Includes 1<br/>block of HV rectifiers.</p>   | 795.00     | 795.00   |
| 3    | 1    | 180312-3             | <p>CONTINENTAL 802B REC<br/>5 Recommended set spare semi-conductors<br/>for 802B Exciter.</p>  | 350.00     | 350.00   |
| 4    | 1    | 124-4500-020<br>3001 | <p>SOUNDOLIER 100-70<br/>Rack Cabinet. Height 74-1/4", Width<br/>22-3/8", Depth 18-1/2". Panel space<br/>70". Beige finish. Knocked down<br/>cabinet with rear door, fixed rails.</p>  | 384.35     | 384.35   |



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DALLAS, TEXAS 75227

**SCHEDULE A  
BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 2  
ALA686

| ITEM | QTY. | PART NUMBER  | DESCRIPTION                               | UNIT PRICE | TOTAL    |
|------|------|--------------|---|------------|----------|
| 5    | 1    | 124-2002-412 | ANDREW 1861                               | 300.00     | 300.00   |
|      |      | 435          | 1-5/8 to 3-1/8-inch reducer, EIA.         |            |          |
| 6    | 1    | 124-2002-415 | ANDREW 1061A                              | 260.00     | 260.00   |
|      |      | 442          | 1-5/8" 90 degree miter elbow,<br>flanged. |            |          |
|      |      |              | TRANSMITTING EQUIPMENT                    | *TOTAL*    | 49089.35 |



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4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227

SCHEDULE A  
BROADCAST SALES PROPOSAL

14587  
02/10/94

PAGE 3  
ALA686

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|------|------|----------------------|--|------------|---------|
| 7    | 1    | 124-1003-020<br>5053 | <p>ANTENNA EQUIPMENT</p> <p>CONTINENTAL G5CPM-2E<br/>2-Bay, Medium Power Circularly<br/>Polarized FM antenna complete with<br/>mounting brackets, 1-5/8" interbay<br/>line, End feed 1-5/8" EIA input<br/>connector, 9kW input power rating,<br/>0.9971 horizontal and vertical power<br/>gain, approx. length 10', weight 114<br/>lbs., windload 212 lbs. Windload<br/>figures based on 50/33 PSF.</p> <p>*<br/>Frequency: _____ MHz</p> <p>*<br/>If the antenna is to be leg mounted<br/>on a tower leg of less than 3 inches<br/>O.D. in diameter, anti-rotation<br/>brackets are required at \$102.00 per<br/>bay.</p> <p>*<br/>If the antenna is to be mounted on a<br/>tower face of more than 48 inches, an<br/>additional charge for special<br/>mounting brackets will be necessary.<br/>Cost is dependent on tower size.</p> <p>*<br/>ANTENNA MOUNTING INFORMATION REQUIRED<br/>AT THE TIME THE ANTENNA ORDER IS<br/>PLACED.</p> <p>*<br/>Tower Mfr: _____</p> <p>*<br/>Tower Model#: _____</p> <p>*<br/>Leg Diameter: _____</p> <p>*<br/>Face Width: _____</p> <p>*<br/>FACE MOUNT ( ) LEG MOUNT ( )<br/>*****<br/>The antenna system must be<br/>pressurized immediately following<br/>installation and the station is<br/>responsible for providing a source of<br/>dry nitrogen or dry air to initially<br/>check for installation leaks, and to<br/>maintain the antenna under a positive<br/>pressure of approximately 2 to 5<br/>pounds per square inch at all times,<br/>using either dry nitrogen or dry air.<br/>This amount of pressure is sufficient</p> | 4700.00    | 4700.00 |



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DALLAS, TEXAS 75227

SCHEDULE A  
BROADCAST SALES PROPOSAL

14587  
02/10/94

PAGE 4  
ALA686

| ITEM | QTY. | PART NUMBER | DESCRIPTION   | UNIT PRICE | TOTAL |
|------|------|-------------|---|------------|-------|
|      |      |             | <p>to prevent breathing during normal environmental temperature changes. Under no circumstance should the antenna be pressurized above 20 pounds per square inch. In the event an isolation transformer is included in the system, the pressure should not exceed 10 pounds per square inch.</p> <p>Failure to maintain pressurization on the antenna system will impair the electrical efficiency of the antenna, and may result in possible damage to the antenna. Such damage is not covered under this warranty.</p> <p>PATTERN STUDY &amp; PATTERN OPTIMIZATION<br/>The antenna mounting structure (tower or pole) may effect the circularity of the FM pattern. The effect of the pattern distortion can be measured on the factory test range with a PATTERN STUDY. Correction of antenna pattern distortion may be possible with the use of parasitic elements mounted near the antenna for PATTERN OPTIMIZATION. Cost is dependent on tower size and will be quoted on request.</p> <p>*****<br/>OPTIONAL (TO BE SPECIFIED AT TIME OF ORDER)<br/>G5 ANTENNA DEICERS &amp; RADOMES.<br/>The Continental G5 series antennas are broadband antennas which normally do not require deicing heating elements or radomes. Typical VSWR with one-half inch of radial is 1.5 to 1 (4% reflected power) or less. Heating elements or radomes are available on request.</p> <p>*</p> |            |       |



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4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227

**SCHEDULE A  
BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 5  
ALA686

| ITEM | QTY. | PART NUMBER          | DESCRIPTION   | UNIT PRICE | TOTAL   |
|------|------|----------------------|---|------------|---------|
| 8    | 1    | 124-1004-127<br>5069 | CONTINENTAL<br>Quarter-Wave Shorting stub for<br>Continental's G5CPM-() Series<br>antennas. The quarter-wave shorting<br>stub places the G5 antenna at DC<br>ground potential for static drain<br>protection against lightning and<br>static electricity. | 445.00     | 445.00  |
|      |      |                      | ANTENNA EQUIPMENT   | *TOTAL*    | 5145.00 |

**Continental Electronics Corporation**4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227**SCHEDULE A  
BROADCAST SALES PROPOSAL**14587  
02/10/94PAGE 6  
ALA686

| ITEM | QTY. | PART NUMBER         | DESCRIPTION   | UNIT PRICE | TOTAL   |
|------|------|---------------------|---|------------|---------|
|      |      |                     | <b>TRANSMISSION LINE EQUIPMENT</b>  |            |         |
| 9    | 300  | 124-2000-120<br>408 | ANDREW LDF6-50<br>1-1/4" Foam heliax cable. 50 ohms.<br>NOTE: LDF6-50 provides a pressure<br>path through the tubular center<br>conductor. All L-46 connectors<br>provide a pressure port for sending<br>nitrogen or dry air to pressurize<br>FM antenna. | 10.94      | 3282.00 |
| 10   | 2    | 124-2000-121<br>409 | ANDREW L46R<br>1-1/4" Line to 1-5/8" gas pass EIA<br>flange. Includes pressure port.<br>Also requires Ident 476.<br>- SPECIFY CONNECTORS -<br><br>( ) ATTACHED ( ) NOT ATTACHED<br>* FIRST OFF ( ) LAST OFF ( ) *   | 220.00     | 440.00  |
| 11   | 1    | 124-2000-122<br>476 | ANDREW 1261B<br>1-5/8" gas barrier for use with rigid<br>line, 1-1/4" foam Dielectric, 1-1/4"<br>air-dielectric cable using 1-5/8"<br>connectors. Includes inner connector.   | 260.00     | 260.00  |
| 12   | 2    | 124-2000-123<br>413 | ANDREW 29961<br>1-1/4" Hoisting grip, use at 200'<br>intervals.   | 47.00      | 94.00   |
| 13   | 10   | 124-2000-126<br>414 | ANDREW 42396A-1<br>1-1/4" Hanger kit, non-insulated.<br>Use with angle or round member<br>adapters. 10 hangers per kit.   | 41.00      | 410.00  |
| 14   | 10   | 124-2002-400<br>536 | ANDREW 31670-1<br>Round Member Adapter 1" - 2" round<br>tower legs. (10 per kit)  | 22.50      | 225.00  |
| 15   | 3    | 124-2000-124<br>415 | ANDREW 204989-3<br>1-1/4" Grounding kits.   | 30.00      | 90.00   |
| 16   | 1    | 124-2000-125<br>416 | ANDREW 40656-5<br>1-1/4" Wall/roof feed-thru.   | 63.00      | 63.00   |



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DALLAS, TEXAS 75227

**SCHEDULE A**  
**BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 7  
ALA686

| ITEM | QTY. | PART NUMBER  | DESCRIPTION   | UNIT PRICE | TOTAL   |
|------|------|--------------|---|------------|---------|
| 17   | 1    | 124-2002-427 | ANDREW 858C   | 291.00     | 291.00  |
|      |      | 516          | Nitrogen tank assembly. Includes high & low gauges and 10' of 3/8" polyethylene tubing with fittings for 1/8" pipe threads. |            |         |
|      |      |              | TRANSMISSION LINE EQUIPMENT   | *TOTAL*    | 5155.00 |



Continental Electronics Corporation

4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227

SCHEDULE A  
BROADCAST SALES PROPOSAL

14587  
02/10/94

PAGE 8  
ALA686

| ITEM | QTY. | PART NUMBER | DESCRIPTION   | UNIT PRICE | TOTAL    |
|------|------|-------------|---|------------|----------|
| 18   | 1    | 90018       | <p>TOWER EQUIPMENT</p> <p>WORLD TOWER COMPANY</p> <p>-- BUDGETARY TOWER COST ESTIMATE --</p> <p>* (X) INSTALLATION (X) MATERIALS</p> <p>* This is a budgetary estimate base</p> <p>* on preliminary information.</p> <p>*</p> <p>300 ft. tower Type 24"SR to support a</p> <p>2-bay antenna with 1-1/4"</p> <p>transmission line, STL antenna and</p> <p>1/2" transmission line.</p> <p>*</p> <p>Prices quoted on tower erection work</p> <p>ground system installation where</p> <p>appropriate, and installation of</p> <p>concrete foundation &amp; anchors are</p> <p>based on normal soil, weather, labor</p> <p>costs and building restrictions</p> <p>prevailing. Abnormal soil conditions</p> <p>such as swampy, sandy, rock, peat or</p> <p>frozen soil or unusual weather</p> <p>conditions such as heavy snow zero</p> <p>weather make this quotation subject</p> <p>to review. Site must be accessible</p> <p>by truck and other equipment, and</p> <p>must be free of trees, brush, rock</p> <p>and other obstacles and/or debris.</p> <p>*</p> <p>Buyer will cause inspection to be</p> <p>made of the tower and site during the</p> <p>course of erection &amp; will advise</p> <p>CONTINENTAL immediately of the</p> <p>existence of any condition or of any</p> <p>action or failure to act on the part</p> <p>of the tower erector because of which</p> <p>erection may not proceed as planned.</p> <p>When the tower is in place, a joint</p> <p>inspection will be made by Buyer and</p> <p>the tower erector and the tower will</p> <p>be accepted by Buyer conditioned only</p> <p>upon exceptions, if any, to such</p> | 26996.00   | 26996.00 |





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DALLAS, TEXAS 75227

**SCHEDULE A**  
**BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 9  
ALA686

| ITEM | QTY. | PART NUMBER | DESCRIPTION  | UNIT PRICE | TOTAL    |
|------|------|-------------|--|------------|----------|
|      |      |             | specific items requiring correction as appear in the course of such inspection. When these items have been corrected, Buyer shall indicate final acceptance of the tower. After final acceptance, Buyer's right with respect there to shall be limited to recovery under the tower erectors warranty.<br>* |            |          |
|      |      |             | TOWER EQUIPMENT  | *TOTAL*    | 26996.00 |



**Continental Electronics Corporation**  
4212 SOUTH BUCKNER BLVD., P.O. BOX 270879  
DALLAS, TEXAS 75227

**SCHEDULE A**  
**BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 10  
ALA686

| ITEM | QTY. | PART NUMBER           | DESCRIPTION   | UNIT PRICE | TOTAL   |
|------|------|-----------------------|---|------------|---------|
|      |      |                       | <b>STUDIO EQUIPMENT</b>   |            |         |
| 19   | 1    | 3900                  | ATI BC8DSR<br>Broadcast Audio Console. Eight mixers, twelve balanced inputs. Two mono mic preamps with PAN pots. Dual Stereo program outputs plus two Mono Mix program outputs. AB type J rotary faders control DBX(tm) VCAs. | 3595.00    | 3595.00 |
| 20   | 1    | 124-4600-010<br>3302  | ORBAN 8100A1/U75<br>Optimod-FM, Tri-band stereo compressor/limiter with safety clippers & stereo generator. (Does not include the FM filter card.)  | 5950.00    | 5950.00 |
| 21   | 3    | 124-4200-450<br>4119  | AUDI-CORD DL-PS<br>Stereo playback unit in desk cabinet.  | 1000.00    | 3000.00 |
| 22   | 30   | 124-4200-180<br>8003  | FIDELIPAC 380-25<br>40-Second Tape Cartridge.   | 4.95       | 148.50  |
| 23   | 30   | 124-4200-190<br>8004  | FIDELIPAC 380-44<br>70-Second Tape Cartridge.   | 4.95       | 148.50  |
| 24   | 30   | 124-4200-210<br>8006  | FIDELIPAC 380-63<br>100-Second Tape Cartridge.  | 4.95       | 148.50  |
| 25   | 30   | 124-4200-230<br>8027  | FIDELIPAC 380-94<br>2-1/2-Minute Tape Cartridge.  | 5.40       | 162.00  |
| 26   | 2    | 124-4100-050<br>12008 | TECHNICS SL-1200<br>MK-II Manual Turntable with Gimbal suspension tonearm, less cartridge. Quartz synthesizer direct drive with brushless DC motor. Fast start and stop. Noise = 78db (Din B). Variable speed control.        | 570.00     | 1140.00 |
| 27   | 2    | 3908                  | ATI P100S<br>Turntable Pre-Amplifier  | 299.00     | 598.00  |
| 28   | 2    | 124-4100-350<br>11613 | SHURE SC35C<br>Phono Cartridge, .0007" spherical stylus, 4-5 gm tracking. Recommended for hard use with frequent backcuing.   | 45.00      | 90.00   |



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**SCHEDULE A  
BROADCAST SALES PROPOSAL**

14587  
02/10/94

PAGE 12  
ALA686

| ITEM | QTY. | PART NUMBER          | DESCRIPTION   | UNIT PRICE | TOTAL    |
|------|------|----------------------|---|------------|----------|
| 38   | 1    | 7014                 | GENTNER 910-093-001<br>AC Current Sensor Accessory. (Tower light sensor)  | 209.00     | 209.00   |
| 39   | 1    | 124-5200-830<br>7017 | GENTNER 910-073-001<br>COMMAND RELAY UNIT. Provides isolation between solid state "open collector" command outputs of VRC-2000 and equipment that requires relay switching for operation. Provides (16) SPDT relays with "A" and "B" dry contact closures for eight of the sixteen command channels. Note: Two units required for sixteen channel relay operation.                          | 679.00     | 679.00   |
| 40   | 1    | 124-5200-850<br>7018 | GENTNER 910-079-001<br>SCREW BARRIER STRIP ASSEMBLY. Consist of barrier strips mounted on rack panel and cable with 37 pin "D" connector for plug in to VRC-2000.   | 199.00     | 199.00   |
| 41   | 1    | 124-5500-010<br>4600 | BELAR FMM-2<br>FM Modulation Monitor.   | 1790.00    | 1790.00  |
| 42   | 1    | 124-5500-020<br>4601 | BELAR FMS-2<br>Stereo Modulation Monitor.<br>(FCC ID: C4J9W1 FMS-2)   | 2050.00    | 2050.00  |
| 43   | 1    | 124-5500-070<br>4605 | BELAR RFA-1A<br>FM RF Amplifier   | 850.00     | 850.00   |
| 44   | 1    | 12953                | TASCAM MODEL 32<br>Reel-to-Reel Recorder/Reproducer   | 1750.00    | 1750.00  |
| 45   | 1    | 124-4200-490<br>4105 | AUDI-CORD DL-RS-5<br>Stereo 2-cue record/playback with timer in desk cabinet.   | 1560.00    | 1560.00  |
| 46   | 1    | 17003                | REGISTER DATA SYSTEMS PHANTOM 486<br>486 System with 4 mb RAM, 200 mb hard drive, 3.5" floppy drive, 14" VGA color monitor, 101 key enhanced keyboard and in a standard 19" rack mount. Includes internal data acquisition system for solid state automation switching control.<br><br>Includes AMX84 Audio Matrix Switcher. Solid State 8 Stereo inputs and 4 stereo outputs all balanced. | 12500.00   | 12500.00 |

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

IN RE: APPLICATIONS OF \* MM DOCKET NO. 93-241  
DARRELL BRYAN \* FILE NO. BPF-920109MA  
SBH PROPERTIES, INC. \* FILE NO. BPF-920109MD  
For Construction Permit for \*  
New FM Channel 276A \*  
Tusculum, Tennessee \*

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**DEPOSITION OF  
DARRELL BRYAN**

(January 12, 1994)

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**APPEARANCES:**

For Darrell Bryan: J. RICHARD CARR, ATTORNEY

For SBH Properties: TIMOTHY K. BRADY, ATTORNEY

1                   A           No, sir.

2                   Q           I'm including any discussions that might not  
3 have resulted. Have you had any discussions that might not have  
4 resulted?

5                   A           No.

6                   Q           Moving over to the next section of the appli-  
7 cation, Section 3 of the application. This is what's known as the  
8 financial qualification section and in response to Item 1 you in-  
9 dicated or certified that you were financially qualified to con-  
10 struct and operate the station for three months without revenue.  
11 Is that correct?

12                  A           Yes.

13                  Q           And then in response to Item 2 they ask you  
14 for an estimate of the total funds necessary to construct and  
15 operate the requested station for three months without revenue  
16 and what was your response to that question? What was the total  
17 amount you indicated?

18                  A           \$175,000.

19                  Q           How did you go about determining that re-  
20 sponse or what was the correct response? How did you determine  
21 that total cost?

22                  A           Based on my experience in broadcasting. I've  
23 been owner for quite a few years now, and knowing what equipment  
24 costs and what salaries were and this type of thing.

25                  Q           Okay. In going through that process did you

1 prepare anything in writing? Did you prepare any written esti-  
2 mates?

3 A Not initially.

4 Q You said initially; did you at some point,  
5 and at what point if you did.... Well, let me ask did you at any  
6 point prepare anything in writing?

7 A Do you mean as far as my own personal infor-  
8 mation? Is that what your question is?

9 Q Well, regarding the estimate of costs.

10 A How did I arrive at the figure?

11 Q Yeah. You told me that you did it on the  
12 basis of your experience, ....

13 A Right.

14 Q ...but I'm asking you if you prepared any-  
15 thing in writing and you said, I believe, that you didn't pre-  
16 pare anything initially and I was saying did you subsequently  
17 prepare something?

18 A I went through books and information and I  
19 arrived at a figure by my own projections, if that's what you're  
20 asking.

21 Q Um-hmmm. Okay, what I'm asking is, in the  
22 process of putting that together did you put any figures down on  
23 paper?

24 A More than likely. I'm sure I did at some  
25 point in time.

1 Q When you said you went through books and  
2 papers, can you be more specific about what you're referring to?

3 A Equipment, catalogs.

4 Q Let me show you a copy of a document that was  
5 produced in discovery. I'll just have the court reporter mark  
6 this, if you would, as deposition EXHIBIT #1 and then I can refer  
7 to it that way.

8 We have a two-page document which we have  
9 marked as deposition Exhibit #1. Are you familiar with document?

10 A Yes.

11 Q Did you prepare that document, Mr. Bryan?

12 A Along with my attorney, yes.

13 Q At the top of that document there is what  
14 appears...maybe a fax imprint that has a date of 12-16-91 on it.  
15 Do you see that?

16 A Yes.

17 Q Do you know whether those numbers are, in  
18 fact, a date...refer to a date?

19 A I would assume so.

20 Q Do you know whether that is the date on which  
21 that document was prepared? Was the document prepared on  
22 12-16-91?

23 A I believe this was in consultation with my  
24 attorney. It had information I sent him and then he compiled the  
25 information and probably faxed me this copy, if I recollect.

1 he would ask for a figure. I'm not really sure how we did all of  
2 it.

3 Q Would this be the final version of this  
4 estimate of operating expenses and construction?

5 A I believe so, yes.

6 Q So you were involved in a process, I guess,  
7 that would have begun sometime before 12-16-91?

8 A Yes, and the facts...you know, once we com-  
9 piled the figures he faxed, said, "Does this look right to you?"  
10 So I checked after I had sent him all information or talked to  
11 him about information.

12 Q And you said you had derived most of this  
13 information from your experience and also from books and equip-  
14 ment catalogs. Did the attorney...and you were talking about Mr.  
15 Hayes, I believe, at this time?

16 A Yes, yes.

17 Q Did Mr. Hayes supply any of the cost figures  
18 on this document, to your recollection, or were they supplied by  
19 you?

20 A I think most were supplied by me.

21 Q In preparing or coming up with those esti-  
22 mates, and if I could refer you to the second page of that ex-  
23 hibit, that those that relate to equipment costs....

24 A Right.

25 Q ... did you obtain any equipment quotes from



1 any of the equipment suppliers or manufacturers?

2 A Yes.

3 Q Did they send you a proposal or equipment  
4 quote in writing?

5 A A couple of people I deal with I think I said  
6 tell me a ballpark figure, you know, on various things.

7 Q Would that have been over the phone, or did  
8 they actually supply you some written proposal?

9 A Most were over the phone.

10 Q Do you recall approximately how many people  
11 you contacted? I mean would it be more than five or less than  
12 five?

13 A Less than five.

14 Q Do you have in your files copies of any  
15 written estimates that were provided to you by any equipment  
16 suppliers or other third parties, in other words, that you used  
17 in preparing this?

18 A Seems like I had some quote from one company,  
19 but I'm not sure if I even kept it after I.... again, I called  
20 various different companies and we just, you know, asked about  
21 certain prices and just filled in.

22 Q On page 2 of Exhibit #1, you have beside, I  
23 think, three of the items in parenthesis the word "used." Do you  
24 see that?

25 A Yes.